

# **EXHIBIT 34**

**DEPARTMENT OF VETERANS AFFAIRS**  
**Aleda E. Lutz VA Medical Center**  
**1500 Weiss Street**  
**Saginaw, MI 48602**

In Reply Refer To: [REDACTED]

August 3, 2018

Dr. Angela Joseph  
Physician  
Aleda E. Lutz VA Medical Center  
1500 Weiss Street  
Saginaw, Michigan 48602

SUBJ: Separation during Probation

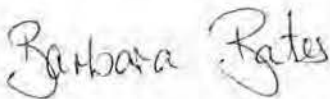
1. On September 1, 2016 you were appointed on a full-time basis to the position of physician under the authority of 38 U.S.C. 7401(1) and subject to a two-year probationary period. On July 16, 2018 you were notified that a Professional Standards Board (PSB) would be convened to conduct a review of your performance during the probationary period and to make recommendations concerning your retention in or separation from the Veterans Health Administration.
2. As a result of this summary review, the PSB recommended, and I concur, that you be separated during your probationary period. The effective date of your separation will be at the end of your tour on August 27, 2018. You will be retained in an active duty status during the advance notice period.
3. **IMPACT OF DECISION REGARDING CLINICAL PRIVILEGES:** The PSB has concluded, and I have concurred, that the reason(s) for your separation and subsequent revocation of privileges resulted from substandard care, professional misconduct or professional incompetence. Therefore, you will receive information via a separate notice regarding your opportunity for a fair hearing and appeal to determine whether or not the reason(s) for the revocation of your privileges should be reported to the National Practitioner Data Bank (NPDB) in accordance with VHA Handbook 1100.19 and VHA Handbook 1100.17. If a final determination is made that the revocation did result from substandard care, professional misconduct or professional incompetence, the revocation (and the summary suspension of your privileges, if applicable) will be reported to the National Practitioner Data Bank (NPDB) with a copy to the State Licensing Board (SLB) in all states in which you are licensed.
4. The fair hearing and appeal in regards to the reasons for the revocation of your privileges resulting from your separation will not result in your reinstatement to federal service but will merely determine whether or not the revocation was a result of substandard care, professional incompetence or professional misconduct.
5. **IMPACT OF VOLUNTARY SURRENDER OF PRIVILEGES:** Should you surrender or voluntarily accept a restriction of your clinical privileges, or resign or retire from your



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medical staff position with the Department of Veterans Affairs prior to the effective date of your separation, your fair hearing and appeal rights regarding privileges will be limited to a hearing on whether you took such action while under investigation for professional incompetence, professional misconduct or substandard care.

6. **REPORTING TO STATE LICENSING BOARDS:** It is the policy of VA to report to State Licensing Boards those licensed health care professionals, whether currently employed or separated, voluntarily or otherwise, whose clinical practice during VA employment so significantly failed to meet generally accepted standards of clinical practice as to raise reasonable concern for the safety of patients. In the event you are found to not meet standards of care, consideration will be given whether, under these criteria, you should be reported to the appropriate State Licensing Board(s).
7. If you feel this action is based on discrimination because of your race, color, religion, sex, national origin, age, or disabling condition, you may file a complaint of discrimination with VA in accordance with the Office of Resolution Management (ORM) discrimination procedures. Should you elect to do so, you may appeal this action by contacting ORM at 1-888-737-3361 within 45 calendar days of the effective date of this action.
8. Office of Special Counsel (OSC): If you elect to seek corrective action by the OSC Complaints Examining Unit (<https://osc.gov/>), your complaint will be limited to a determination as to whether the agency took one or more personnel actions against you in violation of 5 U.S.C. § 2302(b) (prohibited personnel practices). This can include, but is not limited to, claims of reprisal for whistleblowing and/or engaging in protected activity. If you are making a claim of retaliation for engaging in one or more protected activities and OSC dismisses your claim, you may have the right to file an individual right of action (IRA) appeal to the MSPB, but such an appeal will be limited to an adjudication of whether you proved that your protected activity was a contributing factor in the effected action.
9. You must properly clear the facility, turn in any government property and clear any indebtedness, prior to the release of your final paycheck.
10. If you have any questions regarding this matter, please contact Edward Graham, Human Resources Specialist (ER/LR), at 989-497-2500 extension 13075.



DR. BARBARA BATES, MD, MBA  
Acting Medical Center Director